

Stormwater Stakeholders Meeting

Prince of Peace Church

August 13, 2003

9:00 a.m. - 12:00 noon

Meeting Summary

Introductions - Name and affiliation

Overview of meeting agenda – Ann Gosline

Summary of Technical Sub-Group meeting - Don Witherill

Don summarized the discussion that had taken place at the technical sub-group meeting. (see attached meeting summary)

Presentation: TMDLs – Dave Courtemanch

Dave Courtemanch gave a presentation on TMDLs. A TMDL or Total Maximum Daily Load is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. Water quality standards identify the uses for each waterbody, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the waterbody can be used for the purposes the State has designated. The calculation must also account for seasonal variation in water quality. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

While a TMDL is not enforceable in itself, activities that are otherwise subject to regulation will likely be required to meet targets set as a result of a TMDL. Further, state and federal laws prohibit discharges that would cause or contribute to a water quality violation. For waters that are impaired due to urban runoff, additional development within the watershed would contribute to the violation unless measures are taken to mitigate the impact. This poses a problem for those who wish to develop in those urban watersheds. DEP asked the stakeholders group to participate in a brainstorming session to list measures that might be taken to address this concern.

Brainstorming Session

Ann Gosline asked the group for ideas to be explored. Below is the list of ideas.

- Creation of watershed districts
- Credits for improving existing off-site problems
- Credits for low-impact development
- Drop exemption for single-family lots (with specific provisions)
- Target designated growth areas (higher standards)

- Growth plans
- Grants to those who retrofit existing development
- “Write-off” certain areas (Do as much as possible to resolve existing problems, then leave it alone)
- Credits for densification
- Same TSS removal rate for all (instead of varying by % of lot developed)
- Grants/Credits for new/innovative techniques
- Modify growth management plan to incorporate watershed based planning
- Municipalities to regulate projects not big enough to be included in stormwater law
- Maintenance enforcement
- Mitigation banks/marketable credits/trading credits
- Coordination with MDOT
- Get “State” to try innovative practices (green roofs, etc.)
- MOA between DEP and DOE (sprawl, innovation, etc.)
- DEP outreach (meet with “large” developers)
- Re-examine the CSO program
- Innovative uses of watershed districts/utilities
- Flexible performance standards (DEP to let someone get credit for trying something innovative but as yet unproven)

Each of the above ideas will be grouped into categories.

Topics for upcoming meetings

Service centers (urban areas) and growth areas were ideas that will need to be discussed at a future meeting.

Next Meeting

It was decided that Credits/Banking/Trading and Watershed Districts/Utilities would be the topics for the next meeting. DEP staff will review the ideas that fit into each of those categories and report back to the group at the next meeting.

The next meeting will be held on September 5, 2003 at the Augusta Civic Center. The meeting following that will be held on September 26, 2003 at the Arboretum.